

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:24-cv-06118- AJR

Date: January 6, 2025
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Title: Travon Gray v. Martin J. O’Malley

DOCKET ENTRY: **SECOND ORDER TO SHOW CAUSE WHY THIS ACTION
SHOULD NOT BE DISMISSED FOR FAILURE TO
PROSECUTE**

PRESENT:

HONORABLE A. JOEL RICHLIN, UNITED STATES MAGISTRATE JUDGE

Claudia Garcia-Marquez
Deputy Clerk

None
Court Reporter/Recorder

None
Tape No.

ATTORNEYS PRESENT FOR
PLAINTIFF:

None Present

ATTORNEYS PRESENT FOR
DEFENDANT:

None Present

PROCEEDINGS: (IN CHAMBERS)

On August 28, 2024, *pro se* Plaintiff Travon Gray (“Plaintiff”) filed an Amended Complaint against Defendant Martin J. O’Malley, Commissioner of Social Security (“Defendant”). (Dkt. 10.) On October 28, 2024, Defendant filed an Answer. (Dkt. 11.) Pursuant to the Court’s July 24, 2024 Scheduling Order, Plaintiff had until **November 27, 2024** -- 30 days from the filing of Defendant’s Answer -- to file his initial brief. (Dkt. 5 at 2.)

Having not received an initial brief, on December 9, 2024, the Court issued an Order To Show Cause Why This Action Should Not Be Dismissed For Failure To Prosecute (the “Order to Show Cause”). (Dkt. 13.) The Court advised Plaintiff that the action could not move forward unless and until Plaintiff filed an initial brief. (*Id.*) The

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Court also extended the deadline for Plaintiff to file an initial brief until December 23, 2024. (Id.) Finally, the Court warned Plaintiff that if he did not timely file an initial brief, the action could be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute and obey Court orders. (Id.)

As of today, Plaintiff has neither filed an initial brief nor requested an extension of time in which to do so. The Court once again advises Plaintiff that the action cannot move forward unless and until Plaintiff files an initial brief. The Court will now order Plaintiff for the second time to file an initial brief and will extend the deadline until **February 5, 2025**.

Plaintiff is expressly advised for the second time that if he does not timely file an initial brief or respond to this order, the Court may dismiss the action with or without prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute and obey Court orders. If Plaintiff no longer wishes to pursue this action, he may voluntarily dismiss the entire action by filing a Notice of Dismissal in accordance with Federal Rule of Civil Procedure 41(a)(1). A form Notice of Dismissal is attached for Plaintiff's convenience.

The Court also reminds Plaintiff that there are several Federal *Pro Se* Clinics that offer information and guidance to individuals who are representing themselves in federal civil actions in the Central District of California. The clinics are operated by separate non-profit law firms, not the Court. The lawyers and staff at the clinics will not take on direct representation of any individual, but they provide a broad range of information and guidance about many aspects of civil litigation in federal court. The lawyers and staff at the clinics may also be able to provide information about attorneys who regularly represent plaintiffs in social security litigation without any upfront cost and instead provide legal services based on contingency, meaning that they will receive a portion of the recovery if and only if the lawsuit is successful. There is a separate clinic located at each of the three courthouses in the Central District of California:

Los Angeles: The clinic is located in Suite 170 (Terrace Level) of the Edward R. Roybal Federal Building and U.S. Courthouse, 255 East Temple Street, Los Angeles,

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California 90012. For information on hours of operation and appointments, call (213) 385-2977, Ext. 270 or visit the *Pro Se* Clinic Home Page at <https://prose.cacd.uscourts.gov/los-angeles>. The law firm that runs the Los Angeles *Pro Se* Clinic also offers many helpful templates, guides, samples, and instructional videos that are all available online at <https://www.publiccounsel.org/services/federal-court/>.

Santa Ana: The clinic is located in Room 1055 of the Ronald Reagan Federal Building and United States Courthouse, 411 West 4th Street, Santa Ana, California. For information on hours of operation and appointments, call (714) 541-1010, Ext. 222 or visit the *Pro Se* Clinic Home Page at <https://prose.cacd.uscourts.gov/santa-ana>.

Riverside: The clinic is located in Room 125 of the George E. Brown Federal Building, 3470 12th Street, Riverside, California 92501. For information on hours of operation and appointments, call (951) 682-7968 or visit the *Pro Se* Clinic Home Page at <https://prose.cacd.uscourts.gov/riverside>.

IT IS SO ORDERED.

Attachment:

CV-09, Notice of Dismissal Pursuant to Federal Rules of Civil Procedure 41(a) or (c).